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6 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 FREDERICK O. SILVER,

9 Plaintiff,

10 v.

11 HEATHER DYSTRUP-CHIANG, et al.,

12 Defendants.

CASE NO. 2:20-cv-01339-RAJ

ORDER ON REVIEW OF MOTION
FOR RECUSAL

13 On May 3, 2021, Plaintiff Frederick O. Silver filed a Motion seeking to disqualify the
14 Honorable Richard A. Jones in this matter. Dkt. #35. On August 11, Judge Jones issued an
15 Order declining to recuse himself and, in accordance with this Court's Local Rules, referring that
16 decision to the Chief Judge for review. Dkt. #45; LCR 3(f).

17 A judge of the United States shall disqualify himself in any proceeding in which his
18 impartiality "might reasonably be questioned." 28 U.S.C. § 455(a). Federal judges also shall
19 disqualify themselves in circumstances where they have a personal bias or prejudice concerning
20 a party or personal knowledge of disputed evidentiary facts concerning the proceeding. 28
21 U.S.C. § 455(b)(1). Pursuant to 28 U.S.C. § 144, "whenever a party to any proceeding in a
22 district court makes and files a timely and sufficient affidavit that the judge before whom the
23 matter is pending has a personal bias or prejudice either against him or in favor of any adverse
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1 party, such judge shall proceed no further therein, but another judge shall be assigned to hear
2 such proceeding.” “[A] judge’s prior adverse ruling is not sufficient cause for recusal.” *United*
3 *States v. Studley*, 783 F.2d 934, 939 (9th Cir. 1986); *see also Taylor v. Regents of Univ. of Cal.*,
4 993 F.2d 710, 712 (9th Cir. 1993) (“To warrant recusal, judicial bias must stem from an
5 extrajudicial source.”).

6 Mr. Silver essentially provides no grounds for seeking recusal. He states that
7 disqualification is “mandatory.” Dkt. #35. At one point Mr. Silver appears to imply that Judge
8 Jones cannot carry out his judicial function because it has taken many months for the Court to
9 issue orders. *Id.* at 2.

10 The Court finds that Mr. Silver has failed to present any reasonable basis to grant the
11 requested relief. Accordingly, the Court hereby finds and ORDERS that Judge Jones’s refusal to
12 recuse himself from this matter, Dkt. #45, is AFFIRMED.

13 DATED this 15th day of September, 2021.

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16 RICARDO S. MARTINEZ
17 CHIEF UNITED STATES DISTRICT JUDGE
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